

ORDINANCE NO. 2018-34

AN ORDINANCE OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA, RELATING TO THE BABCOCK STREET REDEVELOPMENT PLAN; MAKING FINDINGS; AMENDING CHAPTER 20 OF THE CITY CODE, ENTITLED "COMMUNITY PLANNING AND DEVELOPMENT"; AMENDING SECTION 20-170, DURATION OF AGENCY; EXTENDING THE DURATION OF THE AGENCY TO SEPTEMBER 9, 2024; AMENDING SECTION 20-172, COMMUNITY REDEVELOPMENT PLAN APPROVED; PROVIDING FOR THE ADOPTION OF AN AMENDMENT TO THE BABCOCK STREET REDEVELOPMENT PLAN; PROVIDING FOR SEVERABILITY AND INTERPRETATION; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE.

WHEREAS, pursuant to F. S. § 163.410, on September 9, 1997, the Board of County Commissioners of Brevard County, Florida, adopted Brevard County Resolution No. 97-187, delegating authority to the City Council of the City of Melbourne to create and operate a F. S. ch. 163 Community Redevelopment Agency known as the Babcock Street Community Redevelopment Agency within the area described in Section 20-164, City Code; and

WHEREAS, the Brevard County Commission amended Resolution No. 97-187 two times through the adoption of Resolution No. 2017-234 and Resolution No. 2018-080, extending the duration of the agency and providing for a revised sunset date of September 9, 2024; and

WHEREAS, pursuant to F. S. § 163.361, the governing body may amend such plan upon the recommendation of the agency should it become necessary or desirable to amend or modify the redevelopment plan; and

WHEREAS, the Melbourne City Council desires to amend the Babcock Street Redevelopment Plan by extending the duration of the agency for one additional year with a new termination date of September 9, 2024; and

WHEREAS, the Melbourne City Council and the Planning and Zoning Board/Local

Planning Agency reviewed the plan amendment and found it to be consistent with the Comprehensive Plan.

BE IT ENACTED BY THE CITY OF MELBOURNE, FLORIDA:

SECTION 1. That Section 20-170 of the City Code of Melbourne, Florida, is hereby amended to read as follows:

Sec. 20-170. Duration of agency.

Under the delegation of authority in County Resolution No. 97-187, an established termination date of September 8, 2022 was instituted (25 years after the date of delegation of authority to create the Babcock Street Community Redevelopment Agency by virtue of County Resolution No. 97-187). County Resolution No. 97-187 was amended by County Resolution No. 2017-234 to extend the duration of the Babcock Street Community Redevelopment Agency one additional year, with a modified termination date of September 9, 2023. County Resolution No. 2017-234 was amended by County Resolution No. 2018-080 to extend the termination date by one additional year, with a termination date of September 9, 2024. Thereupon, the community redevelopment agency shall cease to exist as a community redevelopment agency pursuant to F.S. ch. 163, pt. III.

SECTION 2. That Section 20-172 of the City Code of Melbourne, Florida, is hereby amended to read as follows:

Section 20-172. Community redevelopment plan approved.

The Babcock Street Community Redevelopment Plan adopted by Ordinance No. 98-23, and as amended by Ordinance No. 2002-28, Ordinance No. 2003-06, Ordinance No. 2008-06, and Ordinance No. 2017-65 and Ordinance 2018-34 shall constitute the community redevelopment plan for the Babcock Street Community Redevelopment Agency.

SECTION 3. That attached hereto as Exhibit "A" and incorporated herein by this reference is the amendment to the Community Redevelopment Plan dated July 24, 2018.

SECTION 4. Severability/Interpretation Clause.

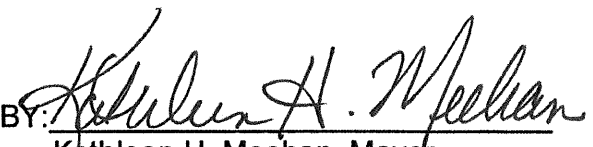
(a) That in the event that any term, provision, clause, sentence or section of this ordinance shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses,

sentences, or sections of this ordinance, and this ordinance shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

(b) That in interpreting this ordinance, underlined words indicate additions to existing text and ~~stricken words~~ indicate deletions from existing text.

SECTION 5. Effective Date. That this ordinance shall become effective immediately upon its adoption in accordance with the City Charter.

SECTION 6. Adoption Schedule. That this ordinance was passed on the first reading at a regular meeting of the City Council on the 10th day of July, 2018, and adopted on the second and final reading at a regular meeting of the City Council on the 24th day of July, 2018.

BY: 
Kathleen H. Meehan, Mayor

ATTEST:



Kevin McKeown, Assistant City Clerk

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Attachment: Exhibit "A"



Babcock Street CRA

Babcock Street Drainage Project and One Year Extension

July 24, 2018

The listing of Babcock CRA Capital Projects will be amended to include "the Babcock Street Drainage Project" for the Babcock Street Community Redevelopment Agency under the 2017 Redevelopment Plan Amendment of project priorities. Projects and initiatives already undertaken by the agency prior to this redevelopment plan amendment will continue through completion in addition to this following project:

<i>Capital Improvements</i>	<i>Approx. Cost</i>	<i>Source</i>	<i>Target Year</i>
Babcock Street Drainage Project (Hibiscus to Apollo)	\$375,750	TIF, Loan	2018*

*Project will require CRA bond repayment to 2024 through an amendment to the existing loan as part of the Babcock roadway reconstruction.

The Babcock Street Community Redevelopment Agency will expire on September 9, 2024.